

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE

UNITED STATES OF AMERICA, )  
                                )  
                                )  
v.                            )       No. 2:22-CR-00080-JRG-CRW  
                                )  
CARLOS ANTONIO SMITH, JR. )

**ORDER**

This matter is before the Court on United States Magistrate Judge Cynthia R. Wyrick's Report and Recommendation [Doc. 30], in which Judge Wyrick recommends the Court accept Defendant's guilty plea to the charge in Count One of the Indictment [Doc. 4], adjudge him guilty of that charge, and order him to remain in custody pending his sentencing hearing. Neither party has timely objected to the report and recommendation. *See* 28 U.S.C. § 636(b)(1); Fed. R. Crim. P. 59(b).

Having reviewed the record, the Court agrees with Judge Wyrick's recommendation. The Court therefore **ACCEPTS IN WHOLE** the report and recommendation under 28 U.S.C. § 636(b)(1) and Federal Rule of Criminal Procedure 59(b). For the reasons in the report and recommendation, which the Court adopts and incorporates into this Order, the Court **ACCEPTS** Defendant's guilty plea, and Defendant is hereby **ADJUDGED** guilty of the charge in Count One of the Indictment. The Court will defer a decision as to whether to accept or reject the Plea Agreement [Doc. 19] until after it has received a presentence investigation report from the United States Probation Office. Defendant **SHALL** remain in custody pending his sentencing hearing

So ordered.

ENTER:

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s/J. RONNIE GREER  
UNITED STATES DISTRICT JUDGE